

The PRESIDING OFFICER (Mr. ENZI). Without objection, it is so ordered.

#### RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

#### MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period for the transaction of morning business not to extend beyond the hour of 12:30 p.m., with Senators permitted to speak for up to 10 minutes each. Under the previous order, the Senator from Arizona, Mr. MCCAIN, is recognized to speak for up to 15 minutes.

The Senator from Arizona.

(The remarks of Mr. MCCAIN, Mr. COCHRAN, Mr. BIDEN, Mr. LIEBERMAN, and Mr. HAGEL, pertaining to the introduction of S.J. Res. 20 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

#### PRIVILEGE OF THE FLOOR

Mr. BIDEN. Mr. President, I ask unanimous consent that the privilege of the floor be granted to an American Political Science Association fellow on the minority staff of the Foreign Relations Committee, David Auerswald, during the pendency of floor debate on Kosovo and the United States use of force when that occurs, and as often as that occurs, on the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER. The Chair recognizes the Senator from Minnesota.

#### KOSOVO

Mr. WELLSTONE. Mr. President, I actually came to the floor to speak about the crisis in agriculture and what is happening in the Midwest, but I want to respond to some of the comments my colleagues have made, although I will be doing this extemporaneously, and I will be thinking out loud, but I hope I will be thinking deeply.

Mr. President, I agree with my colleague from Nebraska, I agree with all my colleagues who have spoken on the floor about the importance of accountability. I remember previously coming to the floor before we took a recess where it looked as if we might be taking military action in Kosovo—it wasn't clear—and saying I thought we needed to have a full debate and I would support that military action.

I agree with my colleague about the history and how it will judge us. I saw what Milosevic did in Bosnia. I saw enough misery and refugee camps to last me a lifetime. And I certainly do not want to be in a position to have our

country, and other countries, turn their gaze away from the systematic slaughter and massacre and murder of people and driving people out of their country, albeit, unfortunately, I think Milosevic, up to date, has been able to do much of that.

Here is where I just want to express a few concerns, although I think probably later on we will have the debate. This debate probably does not start today, but since I am on the floor I do want to raise a few concerns.

First of all, in the here and now, I think—and I will get a chance this afternoon to put some questions to Secretary Albright—as long as we are talking about stopping the slaughter and given the headlines and the stories in today's papers of Milosevic stopping people from being able to leave the country, we do need to think about these internally displaced refugees and how we can get some relief to them. I still, in my own mind, do not quite understand why we are not doing airlifting, why we are not getting supplies to them. I think it is a difficult question, it could be loss of life. But, again, I say to my colleagues, I want to press very hard on the question of whether or not we should be airlifting some humanitarian relief to people who are obviously going to starve to death otherwise. I am trying to understand why we are not doing that now.

Secondly, in the prosecution of this war, I voted that we conduct the airstrikes. I was hoping we would be able to do much more by way of stopping this slaughter, but I raise the question of why we are not conducting more of the airstrikes in Kosovo. I say this to my colleagues on the floor. I really believe that. And I worry about this. I have to say it on the floor of the Senate. Pretty soon we run out of targets in Serbia. And to the extent that we run out of targets and continue with an expanded air war, there are going to be innocent people who will die, which is very difficult for me.

I think we get to a point where we don't want to undercut the moral claim of what we are doing. I believe we are trying to do the right thing, but I do not understand why we are not prosecuting more of this air war and more of these airstrikes in Kosovo. We are talking about what we need to do now. I do not understand all of the decisionmaking, but I guess in my own mind, I want to press on that question, because it seems to me there is a direct correlation between our being able to do that and whether or not other means will be necessary, as I look at this resolution, and, moreover, whether it doesn't make far more sense to do that. Again, I know there are risks involved, but at the same time I worry about the sort of airstrikes focused on Belgrade and other cities as opposed to Kosovo.

Finally, I say today that I would prefer to hear more discussion. My colleague from Nebraska—you don't know people well, but you just have a feeling

about them—is somebody I really like and respect. That is just all there is to it, period. Everything he says I take as being said in the very best of good faith, very much a part of good faith, with complete sincerity and conviction and knowledge.

I would like to hear in this Chamber more discussion about diplomacy, about where it fits in. I think it is far more important than has been discussed today that we really ask the Russians to be a part of a diplomatic solution. I know we are talking to them about being part, eventually, of some kind of peacekeeping force. I think, by the way, it will not just be a NATO force. I heard my colleagues list that as an objective. I do not think that is going to happen. I don't think it will be a NATO force; I think it will be a very different peacekeeping force.

More than just asking the Russians what they will be a part of, I believe the Russians are in a key position to help forge a diplomatic solution as an alternative to an ever expanding war, consistent with what I believe should be our objectives which are stopping this slaughter of people and people having a chance to go back to their country. I want to see the emphasis on the military action we are taking but also on the diplomatic front. I do not hear that today and it concerns me.

I say to my colleagues that when I see language which talks about "to use all necessary force and other means," it just sounds too broad and too open-ended to me, as a Senator. I am skeptical of such language. There are many answers to many questions that I will pose in debate and discussion. There are many questions I have about this today. I have expressed some of my reservations about this resolution, and I do believe we should have Senator HAGEL in the discussion and the debate that is called for. I think it is important. Otherwise, I think we do abdicate our responsibility, whatever decisions we arrive at. I commend the Senator for it, but I have expressed some of my reservations.

#### PRIVILEGE OF THE FLOOR

Mr. WELLSTONE. Mr. President, I ask unanimous consent that Angad Bhalla, who is an intern in my office, be granted the privilege of the floor today during debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### AGRICULTURE CONCERNS

Mr. WELLSTONE. Mr. President, we had a gathering in the State of Minnesota on Sunday afternoon. It started about 1 p.m. Joel Klein, who heads the Antitrust Division of the Justice Department, was gracious enough to come. Mike Dunn, who is Assistant Secretary for Agriculture, was gracious enough to come. This will just be 5 minutes' worth, because I am going to be calling on colleagues, especially

from the Midwest and the West, to start coming to the floor every day and talking about what is happening to farmers and what is happening in agriculture. We have to speak out, and we have to turn the pressure up for action.

During spring planting season, Sunday afternoon—I think the Chair knows this as well as I do—to have somewhere around 800 farmers come was unbelievable. It was an unbelievable turnout of farmers. And there is a very clear reason why. Many of them from Minnesota, but a huge delegation from Missouri, South Dakota, North Dakota, Illinois, Iowa, Kansas, Nebraska, Wisconsin, Colorado, these farmers came because they are confronted with the fierce urgency of now. They came because time is not neutral for them, time rushes on, and they can work 20 hours a day—and they do—and they can be the best managers in the world, and they cannot survive.

There was a focus to this gathering, and it was basically about the whole problem of conglomerates having muscled their way to the dinner table to the point where there isn't the kind of competition we need. There was a call for antitrust action. What farmers were saying was: These conglomerates have muscled their way to the dinner table and they have exercised their raw economic and political power over us as producers and over consumers and over taxpayers. You have our grain farmers going under, record low prices. Then a headline in the *Star Tribune* on Saturday: "Cargill profits from decline in farm prices, 53 percent jump in earnings expected"—how hog farmers are going under and yet the packers are in hog heaven. Everywhere the farmers look, they have a few large firms, whether it be dairy, whether it be livestock producers, whether it be grain farmers, a few large firms that dominate well over 50 percent of the market. What the farmers were calling for was strong antitrust action.

Joel Klein was honest. He said: I wouldn't be here if I didn't take this seriously, and you will have to judge me by my deeds. I so appreciated his coming out. There was a lot of pressure on Mike Dunn and USDA and Secretary Glickman to do more by way of antitrust action.

It was much appreciated. But I say, Mr. President, that the farmers, with considerable justification, want to put some free enterprise back into the food industry. Farmers, with considerable justification, see a direct correlation between monopoly power and a few large, giant firms that are making record profits while they go under. They want to see antitrust action. All they are asking for is a competitive market. By golly, government ought to be on their side. We ought to be seeing stronger antitrust action.

The other thing I have to say—we have one bill, S. 19, on which Senator DASCHLE is taking the lead, which talks about full public disclosure of pricing, which is so important to live-

stock producers—we ought to know what these packers are paying our livestock producers; we ought to have public disclosure on pricing. In addition, we ought to deal with the monopoly power and have some antitrust action taken so farmers have a chance to compete.

I have to say to colleagues, yes, it is crop insurance reform that we are talking about. But the other thing we are going to have to do is revisit this Freedom to Farm, which I have always called the "freedom to fail" bill. I don't even want to point the finger. We can talk about what works with Freedom to Farm, but it seems to me that here the evidence is crystal clear that one thing has happened for sure—there is absolutely no stability anymore when it comes to farm income. And while the large conglomerates with huge amounts of capital can weather these mad fluctuations in price, our family farmers can't. They aren't getting anywhere near the cost of production. We have to focus on how we can get the price up and have some farm income for family farmers, and how we can take on some of these conglomerates so family farmers have a fair shake by way of getting a decent price.

As a Senator from the Midwest where we still have a family farm structure in agriculture that we are trying to hold on to, it is so important for our rural communities, so important for family farmers, so important for safe, affordable food for consumers, so important for the environment. This is a historic struggle.

I hope Senators from the farm states will be coming to the floor every day to speak out about this until we have some strong action that will be on behalf of family farmers. They need the support. They deserve the support. And the Senate and the Congress ought to be taking action.

I yield the floor. I thank my colleague.

The PRESIDING OFFICER. The Chair recognizes the Senator from Maine.

Ms. COLLINS. Mr. President, I ask unanimous consent that I be permitted to speak for up to 10 minutes as if in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### THE FISHERMEN'S BANKRUPTCY PROTECTION ACT

Ms. COLLINS. Mr. President, recently I introduced S. 684, the Fishermen's Bankruptcy Protection Act, a bill to provide family fishermen with the same protections and terms as those granted family farmers under Chapter 12 of our bankruptcy laws. I would like to take this opportunity to explain this legislation to my colleagues in anticipation of the Senate's upcoming debate on bankruptcy legislation.

Like many Americans, I'm appalled by those who live beyond their means,

and use the bankruptcy code as a tool to cure their self-induced financial ills. I have supported and will continue to support reasonable reforms to the bankruptcy code that ensure the responsible use of its provisions. All consumers bear the burden of irresponsible debtors who abuse the system. Therefore, I believe bankruptcy should remain a tool of last resort for those in severe financial distress.

As those familiar with the bankruptcy code know, however, business reorganization in bankruptcy is a different creature than the forgiveness of debt traditionally associated with bankruptcy. Reorganization embodies the hope that by providing a business some relief, and allowing debt to be adjusted, the business will have an opportunity to get back on sound financial footing and thrive. In that vein, Chapter 12 was added to the bankruptcy code in 1986 by the Senator from Iowa, Mr. GRASSLEY, to provide for bankruptcy reorganization of the family farm and to give family farmers a fighting chance to reorganize their debts and keep their land.

To provide the fighting chance envisioned by the authors of Chapter 12, Congress provided a distinctive set of rules to govern effective reorganization of the family farm. In essence, Chapter 12 was a recognition of the unique situation of family-owned businesses and the enormous value of the family farmer to the American economy and to our cultural heritage.

Chapter 12 was modeled on bankruptcy Chapter 13 which governs the reorganization of individual debt. However, to address the unique problems encountered by farmers, Chapter 12 provided for significant advantages over the standard Chapter 13 filer. These advantages include a longer period of time to file a plan for relief, greater flexibility for the debtor to modify the debts secured by their assets, and the alteration of the statutory time limit to repay secured debts. The Chapter 12 debtor is also given the freedom to sell off parts of his or her property as part of a reorganization plan.

Unlike Chapter 13 which applies solely to individuals, Chapter 12 can apply to individuals, partnerships or corporations which fall under a \$1.5 million debt threshold—a recognition of the common use of incorporation even among small family-held farms.

Chapter 12 has been an enormous success in the farm community. According to a recent University of Iowa study, 74 percent of family farmers who filed Chapter 12 bankruptcy are still farming, and 61 percent of farmers who went through Chapter 12 believe the law was helpful in getting them back on their feet.

Recognizing its effectiveness, my bill proposes that Chapter 12 should be made a permanent part of the bankruptcy code, and equally important, my legislation would extend Chapter 12's protections to family fishermen.